

San Diego Regional Water Quality Control Board

November 27, 2018

Edwin Quinonez, Chief
Watershed Protection Division
Riverside County Flood Control
and Water Conservation District
1995 Market Street
Riverside, CA 92501

Via Email Only
In reply refer to /attn:
CW-794828:Eryan

Subject: San Diego Water Board Notice of Acceptance Santa Margarita River Watershed Management Area Water Quality Improvement Plan

Mr. Quinonez:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) received the revised final Santa Margarita River Watershed Management Area (WMA) Water Quality Improvement Plan (Plan) on October 9, 2018. The revised final Santa Margarita River WMA Plan was jointly submitted by Riverside County, Riverside County Flood Control and Water Conservation District, County of San Diego and the Cities of Wildomar, Temecula, Murrieta (collectively Copermittees). The City of Menifee also participated in the development and submittal of the Santa Margarita River WMA Plan as required by the single water board agreement dated October 26, 2015. Under the single water board agreement, the City of Menifee is regulated by the Santa Ana Regional Water Quality Control Board¹. The Copermittees and the City of Menifee submitted the revised final Plan after considering written comments submitted by the public and the San Diego Water Board on the draft final Santa Margarita River WMA Plan. Submittal of the Santa Margarita River WMA Plan, as revised in response to comments, is required by provisions B and D of Order No. R9-2013-0001, as amended by Order Nos. R9-2015-0001 and R9-2015-0100, NPDES No. CAS0109266, *National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds within the San Diego Region* (Order or Regional MS4 Permit). The Order describes the required elements that must be included in the Plan.

¹ By letter of agreement dated October 26, 2015, pursuant to Water Code section 13228, Phase I MS4 discharges within the City of Menifee located within the San Diego Water Board Region are regulated by the Santa Ana Water Board Order No. R8-2010-0033 as it may be amended or reissued (NPDES No. CAS618033) upon the later effective date of the Order. In accordance with the terms of the agreement between the San Diego Water Board and the Santa Ana Water Board, the City of Menifee must participate in preparation and implementation of the Water Quality Improvement Plan for the Santa Margarita River Watershed Management Area as described in Provision B of Order No. 2013-0001.

The Copermittees have taken steps to correct previously discussed deficiencies in the revised final Plan to meet the requirements in provisions B and D of the Order. By e-mail dated October 9, 2018, the Copermittees provided the agreed upon proposed revisions to the Plan described in Attachment 1 of this letter. The San Diego Water Board has determined that the Plan, together with the revisions proposed in Attachment 1 (hereinafter referred to as the Revised Plan), is compliant with provisions B and D of the Order. Therefore, the San Diego Water Board accepts the Revised Plan pursuant to provision F.1.b.(4) of the Order. To comply with the signatory requirement of provisions 1.k.(1)(d) and 2 in Attachment B to the Order, which requires certification of the Revised Plan, a Certified Santa Margarita River WMA Plan (Certified Plan) incorporating the revisions proposed in Attachment 1 to this letter must now be submitted promptly to the San Diego Water Board.

Effective the date of this letter, the Copermittees shall commence implementation of the strategies and schedules described in the Revised Plan as provided below:

1. Monitoring

- a. The Copermittees shall discontinue the transitional monitoring required under provision F.3.b(1) of the Order forthwith.
- b. The Copermittees shall implement the Santa Margarita River WMA receiving water and hydromodification monitoring and reporting programs to comply with provisions B.4 and D of the Order forthwith.

2. Revision of Quality Assurance Project Plan (QAPP) for Receiving Water Monitoring

The Copermittees shall submit a revised QAPP for the Receiving Water Monitoring program incorporating an additional monitoring location in the upper Santa Margarita River WMA located upstream of either Vail Lake, Skinner Lake or Diamond Lake, within 60 days of the date of this letter for San Diego Water Board review and approval. The QAPP must include the final selected location that is representative of land uses in the upper Santa Margarita River WMA.

3. Submittal of HMP Effectiveness Assessment Monitoring Data

- a. The Copermittees shall submit the HMP Effectiveness Assessment monitoring data required under Order No. R9-2010-0016 concurrently with the January 31, 2019, Annual Plan Report. The annual HMP Effectiveness Assessment monitoring data must be submitted as a separate document.
- b. The Copermittees shall submit a Final HMP Effectiveness Assessment Monitoring Report (Final HMP Report) concurrently with the January 31, 2020, Annual Plan Report. The Final HMP Report must be submitted as a separate document.
- c. All monitoring data collected for the HMP Effectiveness Assessment must be submitted concurrently with the Final HMP Report on January 31, 2020. The HMP Effectiveness Assessment monitoring data must be submitted as a separate document.

4. Reporting Schedule

The Copermittees must submit the following reports pursuant to provisions D and F of the Order:

- a. First Water Quality Improvement Plan Annual Report due no later than January 31, 2019; and

- b. First Jurisdictional Runoff Management Program Document (JRMP) Annual Report Form, due no later than January 31, 2019.

5. Program Authorizations

Each Copermittee is authorized to implement the following forthwith:

- a. The exemptions to the Hydromodification Management Best Management Practice pursuant to provision E.3.c(2)(d)(iii) of the Order within the Santa Margarita River WMA;
- b. The Alternative Compliance Program for Priority Development Projects pursuant to provision E.3.c(3) of the Order within the Santa Margarita River WMA; and
- c. The strategies described in the Revised Plan according to the specified schedules.

6. Plan Update to Include Requirements of Tentative Investigative Order No. R9-2019-0007² (Tentative Investigative Order)

On October 8, 2018, the San Diego Water Board released the Tentative Investigative Order for public review and comment. The Tentative Investigative Order proposes to direct the Copermittees and the City of Menifee to participate in the design and implementation of a water quality improvement monitoring and assessment program to evaluate nutrient loading trends and eutrophic conditions in the Santa Margarita River Estuary and Estuary watershed. The Tentative Investigative Order is expected to be issued by the San Diego Water Board Executive Officer in the latter part of December 2018.

Pursuant to sections II.A.4.a.3 through 5 of the Regional MS4 Permit the San Diego Water Board is providing advance notification that the approved Revised Plan must be updated to incorporate the numeric targets, strategies, monitoring and assessment activities, schedules and reporting that will be required to implement the Tentative Investigative Order when it is issued. The Revised Plan modifications must be submitted to the San Diego Water Board no later than September 6, 2019 and implemented as directed by the Board.

The Revised Plan will be available for public review on the San Diego Water Board website until the Certified Plan is submitted and posted. Any person aggrieved by this San Diego Water Board action to accept the Revised Plan may petition the State Water Resources Control Board to review the action in accordance with Water Code section 13320 and California Code of Regulations (CCR), title 23, section 2050, et seq. The State Water Resources Control Board must receive the petition by 5:00 p.m. within 30 days after the date of this action except if the thirtieth day falls on a Saturday, Sunday or holiday, the petition must be received no later than 5:00 p.m. on the first business day following. Copies of laws and regulations applicable to petitions are available at http://www.waterboards.ca.gov/public_notices/petitions/water_quality and are available upon request.

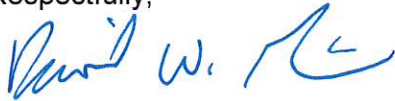
Please submit any written correspondence in response to this letter to SanDiego@waterboards.ca.gov. Electronic documents must be submitted as a single file, in

² See Tentative Investigative Order No. 2019-0007, An Order Directing the Cities of Menifee, Murrieta, Temecula, and Wildomar, the Counties of San Diego and Riverside, the Riverside Flood Control and Water Conservation District, and the United States Marine Corps Base Camp Pendleton to Design and Implement a Water Quality Improvement Monitoring And Assessment Program for Eutrophic Conditions in the Santa Margarita River Estuary and Watershed, California, available on the San Diego Water Board website as of October 8, 2018 at https://www.waterboards.ca.gov/sandiego/board_decisions/tentative_orders/docs/R9-2019-0007/Draft_Estuary_Tentative_Investigative_Order_R9-2019-0007.pdf

Portable Document Format (PDF) format and converted to text searchable format using Optical Character Recognition (OCR). All electronic documents must also include scanned copies of all signature pages. Electronic signatures will not be accepted. Electronic documents submitted to the San Diego Water Board must include the following identification numbers in the header or subject line: **PIN: CW-794828:Eryan.**

Should you have any questions or comments on this matter, please contact Erica Ryan by phone at (619) 521-8051 or by e-mail at Erica.Ryan@waterboards.ca.gov.

Respectfully,



David W. Gibson
Executive Officer
San Diego Regional Water Quality Control Board

Attachment 1: Proposed Corrections to the Santa Margarita River WMA Plan

DWG:js:dtb:law:emr

cc (via email):

Stuart Kuhn, City of Temecula
Matt Bennet, City of Wildomar
Scott Bruckner, County of Riverside
Bill Woolsey, City of Murrieta
Jonathen Smith, City of Menifee
Richard J. Boon, RCFCWCD
Matt Yeager, RCFCWCD
Jason Uhley, RCFCWCD
Juan Perez, RCFCWCD
Todd Snyder, County of San Diego
Jo Ann Weber, County of San Diego
Jamie Milani, County of San Diego

Tech Staff Info & Use	
Order No.	R9-2013-0001
NPDES No.	CAS0109266
PIN ID	794828
Regulatory Measure ID	387355